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ABSTRACT

Chicanos have won many legal battles which have resulted in school desegregation and the establishment of bilingual education programs. Although desegregation and bilingual programs are each expected to equalize educational opportunities, the two approaches differ on how children are grouped and managed. Desegregation aims to integrate groups, whereas bilingual programs often separate students of limited English proficiency for language instruction. Although results are mixed, some studies have found important advantageous effects resulting from both desegregation and bilingual programs. Nevertheless, the courts have tended to hand down desegregation remedies which require the dispersal of national-origin students and which undermine bilingual education programs. This has often resulted in adverse effects on Chicano students and the community as a whole, and sometimes further polarized Chicano-Black relations. Survey data reveal that Chicanos support both approaches, but they are uncertain about the effectiveness of desegregation. Methods are proposed which can combine desegregation and bilingual education, whether or not a "critical mass" is maintained after Chicano student dispersal. Among these methods are that federal agencies work harder to clarify and enforce their desegregation and bilingual education guidelines and that the practical uses of survey research not be overlooked in the formation of local level educational policy. (Author/NQA)

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PROBLEMS AND REMEDIES IN CHICANO SCHOOL DESEGREGATION AND BILINGUAL EDUCATION

Homer D.C. Garcia

The
Johns Hopkins
University

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Introductory Statement

The Center for Social Organization of Schools has two primary objectives: to develop a scientific knowledge of how schools affect their students, and to use this knowledge to develop better school practices and organization.

The Center works through five programs to achieve its objectives. The Studies in School Desegregation program applies the basic theories of social organization of schools to study the internal conditions of desegregated schools, the feasibility of alternative desegregation policies, and the interrelations of school desegregation with other equity issues such as housing and job desegregation. The School Organization program is currently concerned with authority-control structures, task structures, reward systems, and peer group processes in schools. It has produced a large-scale study of the effects of open schools, has developed Student Team Learning Instructional processes for teaching various subjects in elementary and secondary schools, and has produced a computerized system for school-wide attendance monitoring. The School Process and Career Development program is studying transitions from high school to post secondary institutions and the role of schooling in the development of career plans and the actualization of labor market outcomes. The Studies in Delinquency and School Environments program is examining the interaction of school environments, school experiences, and individual characteristics in relation to in-school and later-life delinquency.

The Center also supports a Fellowships in Education Research program that provides opportunities for talented young researchers to conduct and publish significant research, and to encourage the participation of women and minorities in research on education.

This report, prepared by the Studies in School Desegregation program, examines the relationship between desegregation laws and programs and bilingual education laws and programs.

PROBLEMS AND REMEDIES IN CHICANO SCHOOL DESEGREGATION AND BILINGUAL EDUCATION

ABSTRACT

Chicanos have won many legal battles which have resulted in school desegregation and the establishment of bilingual education programs. Although desegregation and bilingual programs are each expected to equalize educational opportunities, the two approaches differ on how children are grouped and managed. Desegregation aims to integrate groups, whereas bilingual programs often separate students of limited English proficiency for language instruction. Although results are mixed, some studies have found important advantageous effects resulting from both desegregation and bilingual programs. Nevertheless, the courts have tended to hand down desegregation remedies which require the dispersal of national-origin students and which undermine bilingual education programs. This has often resulted in adverse effects on Chicano students and the community as a whole, and sometimes further polarized Chicano-Black relations. Survey data reveal that Chicanos support both approaches, but they are uncertain about the effectiveness of desegregation. Methods are proposed which can combine desegregation and bilingual education, whether or not a "critical mass" is maintained after Chicano student dispersal.

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Chicanos, the second largest minority group in the United States (Grebler et al., 1970), continue to suffer far-reaching negative effects from a depreciated socioeconomic status that is lower than that of Anglos or Blacks (Garcia, 1980; Grebler et al., 1970). School desegregation and bilingual education are issues of increasing concern in the barrio (the Chicano community) because proponents of each approach have often clashed during educational discrimination class actions on which method is preferable to best equalize educational opportunities and promote socioeconomic mobility.

This paper presents an introductory analysis of the major issues underlying this controversy by examining (1) how the central precepts of each approach compare; (2) how each method has been found to affect students attitudinally, psychologically, and academically; (3) how legal and political pressures often result in the selection of purely desegregationist plans; and (4) how tri-ethnic communities respond to each approach. Finally, the paper presents the various remedies which have been proposed to combine the two approaches.

General Socio-legal Issues

Both school desegregation and bilingual education have historically been supported in the barrio. Chicanos filed law suits which resulted in important school desegregation decisions before the landmark Brown v. the Board of Education (1954). Such cases as Mendez v. Westminster School District (1946), Delgado v. Bastrop Independent School District (1948), and Gonzales v. Sheely (1951) "laid the groundwork for subsequent decisions--including Brown" (Carter & Segura, 1979, p. 133).

Despite Hernandez v. Texas (1954) which found Chicanos to be a separate class, some public school officials tried to exploit Brown by defining

Chicanos as whites and formulating desegregation plans mixing Chicanos and Blacks while not involving Anglos. Many subsequent Chicano legal efforts (e.g., Romero v. Weakley, 1955; Cisneros v. Corpus Christi, Education Agency (Austin I), 1970; United States v. Texas, 1974: Arvizu v. Waco Independent School District, 1974; Tasby v. Estes, 1975; Keyes v. School District No. 1, 1975; and Castaneda v. Partida, 1977) convinced the courts of the Chicanos' identifiability and the need for tri-ethnic desegregation plans.

There has also been long-standing support within the barrio for bilingual education. The Treaty of Guadalupe-Hidalgo, signed by the United States and Mexico in 1848, guaranteed the protection of the cultural characteristics of the Mexican people annexed by the United States (Rendon, 1971). Bilingual education schools existed in various parts of the southwest during the nineteenth century (Roos, 1978).

More recently, legal efforts by Chicanos and other national origin groups (e.g., United States v. Texas, San Felipe Del Rio, 1972; Lau v. Nichols, 1974; Arvizu v. Waco Independent School District, 1974; Aspira of New York, Inc. v. Board of Education, 1975; Serna v. Portales Municipal Schools, 1972; and Cintron v. Brentwood Union Free School District Board of Education, 1977) have resulted in decisions calling for bilingual education for pupils of limited English-speaking ability (LESA). Partially because of a large, vocal Hispanic lobby, the federal government also mandated that schools receiving federal funding take affirmative steps to help LESA students become better integrated within the English-speaking classroom (the May 25th Memorandum of the Department of Health, Education, and Welfare; and the Equal Education Act of 1974).

Although both school desegregation and bilingual education are intended to equalize educational opportunities, the primary method espoused by each differs on how "equalization" can be achieved. The most basic difference

involves the nature of the educational setting. Brown argued that "in the field of public education 'separate but equal' has no place" (1954, p. 12). Thus, school desegregationists argue that any and all forms of segregation and dissimilar treatment along ethnic/racial lines, e.g., separate schools, classrooms, curriculums, must be eradicated (Gerard and Miller, 1975).

In contrast, many bilingual education advocates have proposed that some degree of segregation is sometimes necessary in order to provide instruction to LESA students to improve English language skills and better integrate them into the learning process in general. Thus, the May 25th Memorandum argued that schools "must take affirmative steps to rectify the language deficiency" (1970, p. 11595) of minority group children. The Supreme Court concurred in the landmark case Lau v. Nichols (1974):

> Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills, is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful. (p. 566)

Thus, identical English-speaking academic settings may not provide equal treatment for linguistically different children regardless of however integrated they may be. Simultaneously, Lau did not advocate segregation, it only upheld the legal obligation of federally-funded schools to take affirmative steps to help LESA pupils. However, most bilingual programs (perhaps the most popular method designed to satisfy this obligation) have been created in pre-established segregated schools (Carter and Segura, 1979).

Advocates of both approaches have also differed on a number of other issues. For example, desegregationists have tended to emphasize that school integration would cause Anglo parents to protect the quality of education of minority children if their own (Anglo) children attend the same schools

(National Institute of Education, 1977). Many bilingualists have argued that dependence on external support systems is unreliable and that minority community involvement is more crucial (Garcia, 1981).

Desegregationists have submitted that because all children would be treated equally by school staff and extensive equal status interaction would result in interethnic friendships, mutual stereotyping and intergroup hostilities would diminish (Hai, 1980). In contrast, some bilinguists have questioned whether such effects are possible in a desegregated monolingual setting specifically tailored for English-dominant children. Instead they argue that bilingual programs can promote greater interethnic communication, understanding, and a greater likelihood of equal treatment of LESA children (Carter, 1979).

Another desegregationist contention is that exposure to Anglo children in the integrated school may result in a greater internalization of the work ethic, educationally-oriented values (Gerard and Miller, 1975), greater linguistic acculturation, less marginalism (Carter and Sagura, 1979), and an increase in the self-confidence among minority children (Gerard and Miller, 1975). Not all bilingualists would agree that minority children are deficient in achievement-oriented values and/or self-confidence. Further, all would argue that the poor track record of the immersionistic-acculturation approach should lead educators to employ methods using the culture of the national-origin child as a vehicle toward greater ethnic pride, self-understanding, and learning.

Finally, because of the above as well as other reasons, advocates in each camp have submitted that their approach will result in greater achievement. In particular, desegregationists have argued that integrated classrooms promote competition and motivation to succeed among minority pupils (Gerard

and Miller, 1975). Bilingualists have countered that the chances to succeed for anybody are less when forced to compete in an alien language (Carter, 1979).

Although research in both areas has been limited and the results conflicting involving the predictions reviewed above, some of the more methodologically sound studies have yielded interesting results. In the desegregation area, Gerard and Miller (1975) have found greater intergroup polarization after desegregation, but St. John (1975) has cited studies finding reductions in prejudice and increases in intergroup interactions. Psychologically, the immediate negative effects have tended to outweigh the positive effects with respect to self-esteem, locus of control, academic confidence, and aspirations among minority pupils (Riffel et al., 1976).

However, important affirmative psychological effects have also been shown. Although minority pupils in segregated schools have been shown to be more confident and ambitious than counterparts in integrated schools, the former have tended to have unreasonably high expectations of themselves which are more likely to result in disappointments after graduation and hinder further socioeconomic endeavors (Crain, 1971). There is also reason to believe that "in the long run, desegregation may encourage the aspirations, self-esteem, and sense of environment of Black youth" (St. John, 1975, p. 119).

Academically, desegregation has probably enhanced academic achievement of Blacks in most cases (Riffle et al., 1976), but adverse effects on Chicano achievement have been reported (see Gerard and Miller, 1975). In her analysis of 120 students, St. John has reported that "desegregation has not rapidly closed the Black-White gap in academic achievement..." (1975, p. 119). Further, she found that improvement is more often reported

"in the early grades, arithmetic, and in schools over 50% white, but even here the gains have been mixed, intermittent, or insignificant" (St. John, 1975, p. 119).

It is even more difficult to predict the effectiveness of bilingual education because significantly less research has been conducted in this area than in desegregation. No empirical studies can be found on the role of bilingual classes in affecting interethnic attitudes and behaviors, but some authorities (Carter and Segura, 1979; National Institute of Education, 1977) have observed better intergroup relations resulting from some programs.

Few bilingual education studies have examined the impact of such programs on self-esteem. However, Del Buono (1971) found that bilingual class participants have more positive self-concepts of ability than do subjects in traditional programs. Troike (1978) has cited studies with similar results.

The conflicting results in two major studies, those conducted by the American Institutes of Research (The AIR study, 1977) and Troike (1978), have made it particularly difficult for policy makers to ascertain the academic effects of bilingual education. The AIR Study analyzed the effects of over 400 projects and concluded that bilingual programs tend to fail to enhance achievement in basic subject areas. However, that study has been seriously criticized for its questionable sampling and other analytical techniques (Proa, 1981). The Troike (1978) investigation, which corrected for these flaws, found opposite results. Bilingual program participants outperformed nonparticipants in (English) reading readiness, reading, writing, overall Spanish skills, mathematics, social science and attendance (Troike, 1978).

Pressures on the Judiciary

Two forms of pressure on the judiciary, legal interpretation and political, have often caused less than equitable decisions for Chicanos in

educational discrimination cases. Although Doyle (1981) has argued that only constitutional considerations operate in deriving decisions (as distinct from the formulation of remedies) there are those who believe that both litigation phases are affected by other variables--e.g. the judge's political ideology, and community political pressures (see Kirp, 1981; Beck, 1981).

Even in biracial situations, the range of outcomes that are constitutionally acceptable vary widely and therefore allow for much judicial latitude (Kirp, 1981). In tri-ethnic situations, the range of acceptable outcomes is even wider because of the pluralistic nature of the community and especially because of the uncertain legal issues and conflicting federal directives involving crucial issues relating to Brown and Lau. This can make for even greater judicial variation and political brokering.

Let us first consider those pressures on the judiciary that are primarily interpretive. As already stated, the spirit of Lau mandates that affirmative steps be taken to assist LESA students, but Lau does not mandate segregation. In fact, the May 25th memorandum and the "Lau Guidelines or Remedies" (Office of Civil Rights, 1975) have prohibited tracking or ethnic isolation within bilingual groupings. Yet, most bilingual programs have been created in pre-established segregated barrio schools. School officials have worked around anti-tracking requirements in the establishment of bilingual programs because such laws fail to clarify at what point a program can become an ethnic track and therefore segregative and illegal in nature (examine the Emergency School Aid Act, 1970). Litigation has only just begun on this issue (see Education Daily, July 28, 1981).

Other problems are also noteworthy. If a desegregation plan results in the wide dispersal of LESA students, then how can bilingual programs continue when they often depend on assembling a sufficient number of students to support a teacher? Making the special effort to continue such programs

is doubtful because the courts are unaware of the probable advantages of bilingual education (Cordenas, 1981) and of the ways such programs can continue in desegregated schools (Carter, 1979).

Some Chicanos and policy makers have sometimes misunderstood the main goal of bilingual education. Highly nationalistic Chicanos have sometimes supported such programs because they have misperceived the primary goal of bilingual education as being the total maintenance of the native tongue and culture (Garcia, 1981). This same misperception has caused some policy makers to reject bilingual education on the basis of its "separatist" nature (Hai, 1980; also see Guadalupe Organization, Inc. v. Tempe Elementary School District No. 3, 1978). According to Roos (1978), a common goal of bilingual programs is the attainment of English skills through the use of the native tongue of the child to whatever extent necessary.

Some have even questioned whether there is a bilingual education mandate at all. This issue has been raised largely because the "Lau Guidelines" of the Office of Civil Rights (1975) have never been published for comment in the Federal Register (Olivero, 1978) and because federal agencies have failed to adequately enforce them (United States Commission on Civil Rights, 1979). For example, in a recent court decision, a three-judge panel unanimously agreed that such guidelines constituted only a "suggested compliance plan for districts failing to provide any language assistance" (Education Daily, July 28, 1981, p. 4, underscore mine).

The uncertain mandate has seemed all the more tenuous due to vague treatment of three key issues in federal laws calling for special language instruction. First, it has not been established how LESA students ought to be identified. Not all national-origin pupils should be assumed to lack English skills, and only those who do lack such skills and who are Spanish

dominant are supposed to participate in bilingual programs.

Spanish dominance should be established as well because the goal of bilingual education--the learning of English--cannot be assumed to occur if the linguistic means toward such learning, the native tongue, is also deficient. Bilingual skills are difficult to measure because comparable communicative abilities should be ascertained in each language: listening comprehension, reading comprehension, writing, and verbal ability. Yet, there are no established examinations to measure and compare specific inter-language skills in bilinguals (Roos, 1978).

Even if such tests did exist, there are no established standards to evaluate such data. How would a typical Chicano pupil be assessed who has limited but functional listening comprehension and verbal skills in both languages, but who has deficient reading and writing abilities in both languages? Indeed, this is a prime example of a "legal mandate" outrunning the state of the art.

Second, assuming LESA pupils could be identified, special language laws have remained largely silent on the type of special language instruction that such students ought to receive. There are three major types of programs under the general heading of "bilingual education": A) the "transitional" approach, which makes only incidental use of the native tongue in the learning of English; B) the "maintenance" method, which strives for both English acquisition and maintaining the language and culture of minority children; and, C) the "enrichment" approach, which works toward biculturalism in both national-origin, Anglo, and Black children (Carter, 1979, pp. 9-12).

The Lau directives are so broad that some policy makers have often not even chosen from among the bilingual education alternatives. Instead, they have selected to institute English as a Second Language (ESL), Spanish as a Second Language (SSL), or other programs which are not bilingual programs

in reality (Rocs, 1978; Carter, 1979; Carter and Segura, 1979).

Third, the May 25th memorandum "required" that grantees take "affirmative steps" to insure the "effective participation" of LESA students in the educational process by providing them with special language instruction. However, the Memorandum as well as other directives have failed to delineate how the effectiveness of a program is to be ascertained--through demonstrations of higher English proficiency (and with what tests?)?; through higher grades?; or what?

Many districts have used this uncertain language to create ineffective bilingual programs without fear of disciplinary action from funding agencies. This has led to at least two court decisions which have been decided in favor of Hispanic plaintiffs that inadequate bilingual programs are themselves a violation of Lau remedies (Cintron v. Brentwood Union Free School District Board of Education, 1977; Rios v. Reed, 1977).

Government agencies have not acted alone in creating uncertainty when they have addressed issues involving the educational rights of national-origin communities. The courts themselves have often responded in an equally tenuous manner via their erratic and contradictory decisions affecting Hispanics in tri-ethnic desegregation cases. For example, the perception of the Lau guidelines as nonmandatory has led to decisions allowing school districts to maintain ineffective bilingual programs (Education Daily, 1981).

Further, even though Hispanic identifiability has usually been acknowledged and intervention allowed, there have been crucial exceptions. Otero v. Mesa County School District No. 51 (Colorado, 1975) found that Chicano plaintiffs had not adequately established that a significant number of LESA students existed to justify special programs. Bradley v. Milliken (1978) denied intervention on behalf of Hispanic pupils because it was argued that such action was untimely and because discrimination against Hispanics was

not adequately demonstrated.

Roos has argued that "...timely intervention should be granted as a matter of right" (1977, p. 34). Yet, he has warned that the courts can force Hispanics or any nati nal-origin population to prove that they are identifiable in a given school district, that significant numbers of Hispanic students are of limited English proficiency, that the educational problems faced by such students are based on their linguistic characteristics, and that a school system is not adequately rectifying such problems (Roos, 1978; Roos, 1977). Various decisions have found insufficient evidence on some or all of these issues and, as a result, ruled against the creation of bilingual programs (Otero v. Mesa County School District No. 51, 1975; Guadalupe Organization, Inc. v. Tempe Elementary School District No. 3, 1978; and Evans v. Buchanon, 1976).

Perhaps the most famous case which policy makers, especially district officials, have most often misunderstood is the Keyes v. School District No.1 (1975) decision. Those unsympathetic to bilingual education have often selectively cited segments of the Keyes case which state that LESA students are not entitled to instruction tailored to their unique cultural needs and that such programs must yield to desegregation efforts. Although these opinions were given, the context in which they were expressed has not been understood.

The court did not question the necessity of bilingual education. It questioned the amount of evidence submitted to justify an elaborate bilingual education plan which had been formulated as part of a desegregation plan by a lower court (Roos, 1978). Indeed, the higher court, which had just previously approved an extensive bilingual program in Serna v. Portates Municipal Schools (1974), argued that a viable desegregation plan must assist

Hispanic children to become proficient in English, but it did not feel that the lower court's specific plan was justified (Keyes v. School District No. 1, 1975).

The judiciary has also had to deal with political pressures. Many educational discrimination suits continue to be sponsored by the National Association for the Advancement of Colored People (NAACP), particularly by the NAACP Legal and Education Defense Fund. Class actions by these organizations have understandably focused on promoting school desegregation, which is more in the interest of the Black community. These suits have often ignored and even challenged the linguistic-based needs of Hispanics (Garcia, 1981; National Institute of Education, 1977).

Chicanos have often had to intervene in on-going court proceedings in order to protect bilingual programs (Cardenas, 1981). Unfortunately, even though the Mexican-American Legal Defense and Education Fund (MALDEF) has supported such actions, Chicanos have still not matched the legal financial base, experience, organization, and liberal Anglo support enjoyed by the NAACP in desegregation cases (Cardenas, 1981). This has often resulted in a much weaker Chicano stand in desegregation litigation (Cardenas, 1981).

The dilemma facing the judiciary as well as all policy makers in educational discrimination cases is apparent: does a purely desegregationist remedy provide equal protection to all parties, including LESA students? Can "separate but equal" programs like bilingual education be maintained despite their recent and uncertain mandate? Thomas Carter acknowledged the discouraging state of affairs for policy makers when he said the following:

> Very few activities in public affairs are more confusing and politically charged than are bilingual education and school desegregation. Both involve the legislative, executive, and judicial branches of state and national government. Both are

> seen by the public as having major social, as well as educational implications. Neither are well understood by practitioners nor the public in general. Much heat but little light is being generated. (1979, p. 1)

Kirp (1981) is correct that judges presiding over desegregation cases have "found themselves with varied and complicated tasks to perform, obliged to be at once constitutional exegetes, political power brokers, and educational experts" (p. 399).

Outcomes

Educational discrimination cases have often produced remedies that emphasize school desegregation and deemphasize bilingual education (Hai, 1980; Cardenas, 1977; National Institute of Education, 1977). The existence of bilingual programs has been threatened when LESA students have been dispersed enough to eradicate the "critical mass"--the minimum number of LESA pupils required at each grade level (usually about 20 students) to qualify a school for state and/or federal bilingual education funding (Arias, 1979). Further, bilingual education staff have sometimes been transferred in ways which eliminate any chance of resuming such programs later (Cardenas, 1981, 1977).

Various other practices have also tended to alienate Chicanos involved in school desegregation. Policy makers rarely allow minority community input in the formulation and implementation of desegregation plans (Levinsohn and Uribe, 1981). Barrio schools are more often closed than Anglo schools (Cardenas, 1977). Little is done to prepare minority parents and children for the "culture and class shock" that so often occurs with first-time exposure to Anglos (Gerard and Miller, 1975). No more than token efforts are often made to train teachers unaccustomed to teaching LESA and minority students in general (Cardenas, 1977).

The quality of education provided for national-origin children has sometimes deteriorated after desegregation. Some desegregated schools are so

inadequately staffed and unable to deal with LESA students that bilingual teacher aides must sometimes be hired to translate and provide instruction (Garcia, 1981). If any barrio schools remain open, such schools are sometimes stripped of special programs, educational materials, professional and support staff; and such resources are funnelled to schools in more affluent neighborhoods (Garcia, 1981). Participation in after-school extra-curricular programs is also much more difficult for minority children who must take the bus home from school (Carter, 1979; Garcia, 1981).

Chicano parent participation in school activities is often diminished. It is sometimes difficult for parents who lack transportation to visit schools across town (Garcia, 1981). Those who can attend PTA meetings are sometimes discouraged from participating because Chicano parents are no longer in the numerical majority and they often have greater difficulty in obtaining group support for Chicano issues (Cardenas, 1977). Many of the above problems produce what many authorities feel is an unfair burden on Chicanos in the formulation of desegregation plans (Carter, 1979; Cardenas, 1977; Levinsohn and Uribe, 1981; Carter and Segura, 1979).

Desegregation court battles and their aftermath have often promoted the further deterioration of relations between the Chicano and Black communities. Even though there has also been support for desegregation within the barrio, NAACP representatives have often been the most vocal advocates of desegregation and opponents of bilingual education. This had led some Chicanos to blame Black leaders for the problems reviewed above (Garcia, 1981).

Relations between these Blacks and Chicanos have never been that amiable and cooperative to begin with. Racial and color prejudice have persisted in the barrio historically (Stoddard, 1973). Grebler et al. (1970) have shown the Chicanos are more concerned about maintaining social distance

from Blacks than from Anglos. Chicano leaders and writers have often not hesitated to criticize the prejudiced and patronizing treatment they have received from Black civil rights leaders (see Rendon, 1971). No research is known to exist on Black attitudes toward Chicanos, but it is very likely that equally hostile attitudes have been reciprocated and that intergroup relations have been all the more strained after desegregation, especially among the leadership of both communities.

Surveys

Despite the negative experiences that many Chicanos have encountered during efforts to "equalize" educational opportunities, they have not lost faith in the value of integration and bilingualism. The few surveys conducted on these issues reveal that barrio support for the two philosophies continues, although with some reservations. Garcia (1980) has shown that, despite holding some negative attitudes toward Anglos, Chicano college students in Texas overwhelmingly want their children to have integrated peer groups.

Surveys conducted just prior to school desegregation in three California cities reveal much Chicano support for desegregation. In his reanalysis of the data, Carter (1979) found that over 75% of the subjects in each of the three ethnic/racial groups in San Diego supported desegregation. In Los Angeles, there was only about 50% support within the Chicano and Anglo communities, while there was 78% support among Blacks. The Riverside study found a low 39% support among Chicanos in comparison with 54% for Anglos and 67% among Blacks (Carter, 1979, pp. 54-59).

There was less support for busing among all three groups in the cities surveyed. In San Diego, 46% of Chicanos favored it in comparison to 30% of Anglos and 63% of Blacks. In Los Angeles, 43% of Chicanos supported it

in comparison to 49% of Anglos and 73% of Blacks (Carter, 1979, pp. 54-59). No predesegregation busing data were collected in the Riverside study.

These findings demonstrate that support for desegregation and busing among all groups varied from city to city. There is no characteristic level of support or opposition among any group toward these issues. The degree of support is probably largely determined by local variables (how district officials react, the level of media coverage, controversy, fear of an unfair burden, etc.). Further, the amount of Chicano support was somewhere between that of Blacks, who were consistently the most supportive, and Anglos, who tended to be the least supportive (Carter, 1979, p. 53). This intermediate pattern along with the consistently higher percentage of no opinions reported by Chicanos may indicate the greater uncertainty on these issues in the barrio compared to the other ethnic/racial communities (see Tables 3, 4, and 5 in Carter, 1979).

The Riverside study collected longitudinal data, and the results provide much optimism about the long-range effects of desegregation. The percent of Chicanos supporting desegregation increased from 39% to 63% in two years and 76% favored busing in the latter survey (Carter, 1979, p. 58). It is also interesting that 77% of Chicanos and only 55% of Blacks believed that "desegregation has opened the door for residential integration to occur" (Gerard and Miller, 1975, p. 47).

Thus, even when Chicanos have suffered negative desegregation effects, a great deal of optimism seems to remain and even increase as the barrio adjusts to these changes. Nevertheless, Carter (1979) has warned that "no firm conclusions or generalizations can or should be made from these studies" (p. 57) on tri-ethnic attitudinal responses to desegregation, especially given their preliminary nature and methodologically simplistic approach.

It is very likely that Chicano uncertainty about school desegregation may be partially caused by concern about the cultural impact of desegregation, but this link has never been empirically tested. Grebler et al. (1970) have shown that most Chicanos still use their native tongue extensively and often prefer Spanish-speaking to English-speaking media. Also, many place great importance on maintaining the Spanish language (Grebler et al., 1970).

Garcia (1980) has shown that a high percentage of Chicano college students are very fluent in Spanish and fully bilingual, and most want public schools to provide bilingual instruction so that their future children will be bilingual as well. Haro (1981) has found that most Chicanos surveyed in Los Angeles felt that maintaining the Spanish language should be a primary goal of education.

Only one study--the San Diego survey cited above--has collected data on preferences for bilingual education. Over 70% of the Chicanos interviewed preferred bilingual education magnet schools as their first or second choice over other types of magnet schools (fundamental and math/science magnets were the other alternatives). Of those selecting bilingual magnet schools as their first choice (at the elementary school level), nearly twice as many preferred transitional over enrichment programs (see Table VI in Carter, 1979, p. 79).

These results are somewhat surprising in light of the Haro (1981) study discussed previously. If support for cultural maintenance programs extends beyond Los Angeles, then San Diego Chicanos should have preferred enrichment over transitional programs. However, Carter (1979) points out that interviewers probably failed to adequately explain the difference between the programs to Chicano respondents. This was particularly essential given that transitional magnets were labelled "bilingual schools" and enrichment magnets

were called "language schools." Subjects probably selected the label more than the underlying purpose. It is also possible that the limited range of bilingual programs offered may have affected the above results--only the magnet approach was offered and no maintenance or individualized instruction methods were made available.

The San Diego study also found an understandably lower level of support among non-Hispanics (Anglos and Blacks) than among Chicanos. Still, a surprisingly high percent from each group, 41% of Blacks and 31% of Anglos, selected bilingual programs as their first or second choice among the various types of magnet schools offered. Non-Hispanics also preferred enrichment over transitional programs, the reverse of what Chicanos said they wanted. This finding is not surprising because Anglo and Black respondents probably realized that learning Spanish would be more achievable in an enrichment bilingual program than in an English-oriented transitional bilingual program.

It is clearly dangerous to generalize from a single study, but it is possible that subsequent studies will find significant interest among non-Hispanics for bilingual programs because of the economic value of being bilingual in areas where Hispanics are in large numbers.

It is also possible that support for bilingual education and school desegregation may overlap more than people think. A reanalysis of the San Diego data on this topic would be informative. It would be helpful to establish the amount of overlap among all communities prior to the formulation of remedies; then at least part of a plan could use this common ground in the creation of desegregated bilingual programs.

Toward Interface Remedies

A small group of researchers--Thomas Carter, Jose Cardenas, and Peter Roos--have argued that the principles underlying Brown and Lau are compatible. Although little research has been done in this area, these investigators have suggested practical ways to retain bilingual education programs whether or not a "critical mass" is maintained after school desegregation.

Critical Mass Programs

The level of difficulty involved in continuing bilingual programs in desegregated schools depends heavily on the degree of school desegregation that occurs. Less difficulty is encountered when a critical mass is maintained, particularly when high percentages of LESA students remain in "desegregated schools." This can occur for two reasons. First, desegregation often means the eradication of ethnic/racial student isolation (de-isolation) rather than the attainment of ethnic/racial student balance. De-isolation tends to permit the continuation of bilingual programs because the legally acceptable ratio of minority to Anglo students can range from 60/40 to even 90/10 depending on the state (see p. 18 in **Carter**, 1979).

Second, because litigation sometimes fails to establish de jure segregation with respect to some minority schools, some schools are likely to remain largely unaffected by desegregation plans (Roos, 1978). With community pressure, districts might be "encouraged" to voluntarily create bilingual programs in these schools (see Garcia, 1981). In most cases, such schools are left in limbo with no particular educational goals or future (Carter, 1979).

According to Carter and Segura (1979), school desegregation plans are being increasingly designed to eliminate ethnic/racial isolation. Therefore, many desegregated schools have the prerequisite "critical mass" to qualify for bilingual education funding. However, the few districts that have

maintained bilingual programs in such schools have had difficulty attracting non-Hispanic volunteers largely because of the nonprestigious compensatory-transitional nature of the bilingual programs implemented (Carter, 1979). This is consistent with the San Diego study's findings regarding non-Hispanic bilingual program preferences.

The desegregation of bilingual programs, however, has usually not been the goal of these schools. Bilingual classes in de-isolated schools tend to remain segregated during much of the day and often over a period of more than three years (Carter and Segura, 1979). There is also little or no effort to expose Hispanic children to non-Hispanics during their education. This has continued despite federal guidelines prohibiting "ethnic tracks" in Title VII programs. But as already stated, the vague language of the regulations plus their nonenforcement has permitted such practices to continue.

The challenges are obviously greater for the school district striving for ethnic/racial balance and the continuation of bilingual programs. A balanced school is one whose student body reflects the ethnic/racial representation in the overall district (Carter, 1979, see p. 17). Large-scale busing is often necessary to achieve balance. However, the great expense of busing and its elimination of neighborhood school attendance make busing an unpopular solution (Carter and Segura, 1979).

As previously stated, a "critical mass" of at least 20 LESA students at each grade level must be maintained in order to qualify a school for state and/or federal funding. This can be accomplished by reassigning LESA students first, thereby maintaining a critical mass, and then dispersing other pupils. Such a system has been successfully employed in Boston (Morgan v. Hennigan, 1976), Dallas (Tasby v. Estes, 1975), Buffalo (Arthur v. Nyquist,

1978), and Wilmington, Delaware (Evans v. Buchanan, 1976).

Various factors can interfere in the success of such a dispersal system. Above all, placing an unfair burden on the Chicano community can result in less Chicano cooperation. An inequitable number of school closings, especially of long-standing well-respected barrio schools, is a frequent cause of alienation (National Institute of Education, 1977). Another is the indiscriminate transferring (Garcia, 1976) or layoffs of bilingual staff (often the last hired and first fired) when schools are closed or merged during desegregation and periods of reducing enrollments (Carter, 1979). At least one court decisi[illegible] (see Cintron v. Brentwood Union Free School District Board of Education, 1977) and various states (see Carter, 1979, p. 44) have discouraged such practices in order to protect bilingual programs after desegregation.

The type of bilingual program selected for use in an ethnically/racially balanced school will determine other characteristics of the school. Because transitional programs tend to involve only LESA students, care has to be taken that such pupils are properly identified for placement and that those who acquire adequate English skills are identified and mainstreamed at the earliest reasonable time. It is not acceptable to use such programs as dumping grounds for all Hispanics (especially those with adequate English skills) and slow learners. It is also important that such programs not become ethnic tracks that preserve segregated classrooms for a significant portion of the day and/or over many grades. ESAA grantees must take particular care to prevent the misuse of transitional programs (see Roos, 1978, pp. 137-140).

Greater flexibility is possible if maintenance or enrichment bilingual programs are established in balanced schools. Bilingual classes can either be segregated or integrated. Segregated programs must take

the same precautions necessary under transitional programs. It stands to reason that integrated bilingual programs can last for longer periods of time during the day and over the span of grades if non-LESA mainstream and enrichment students (Hispanic and non-Hispanic) participate in such programs. This would reduce the chance of it becoming an ethnic track. The development of a curricular "low-achiever" track would also be less likely because more than just a transitional learning of English would be involved.

The integration of bilingual programs has been supported by many authorities (Levinsohn and Uribe, 1981; Cardenas, 1977; Carter, 1979) and some federal and state legislation has either recommended it or required it (see Roos, 1978, pp. 138-139). Very few such programs exist, but those that do have reported much success (Carter, 1979).

With the above legal and logistical issues in mind, Carter (1979) has suggested three types of organizational structures that can be used in maintaining bilingual programs when a "critical mass" is maintained. First, as already suggested, bilingual classrooms can be created within desegregated schools. Second, bilingual magnet schools are a popular alternative within the barrio. However, if a magnet offers totally integrated bilingual instruction, then it has been advised that attracting non-Hispanic volunteers may depend on selecting attractive schools in neutral neighborhoods and establishing appealing curriculums. Carter (1979) has suggested that either organizational type can be designed to accommodate a wide range of instructtional methods (ESL, transitional, maintenance, etc.) and grade levels (but usually not beyond the sixth grade).

Third, Carter (1979) has proposed the "Total District Bilingual Organization" as another option. This would involve the creation of bilingual programs in most schools in a district with instruction beginning in kindergarten and ending in the senior year of high school. Few details are given

by Carter on the other features of such a system, but it can be assumed that some combination of the bilingual programs described here would be involved--both de-isolation and balanced; transitional, maintenance, enrichment, and so forth; bilingual classrooms, magnets, and/or individualized instruction systems (which are described below).

Programs Without a Critical Mass

It is essential for a school district to consider the linguistic interests of LESA students as well as of other national-origin and non-national origin pupils prior to the formulation of desegregation plans. This is especially the case if a district has traditionally employed bilingual programs requiring a critical mass (as many do) and is therefore in a better position and is more committed to continue such programs rather than create new ones after desegregation.

But as argued previously, many school districts often fail to maintain a critical mass and thus lose their bilingual programs after desegregation. Policy makers sometimes mistakenly think that once dispersal occurs and a critical mass is not maintained, a district is under no legal obligation to provide special language instruction to LESA students. Further, there is a lack of awareness of the instructional methods that can be used even when LESA pupils have been thinly dispersed.

In his analysis of federal directives, Peter Roos has submitted the following:

> The language of Title VI implies that the right to special assistance is that of an individual: "no person...shall, on the ground of...national origin...be subjected to discrimination." HEW regulations implementing Title VI prohibit the recipients of federal funds from denying "individual rights." Finally, the language of the Equal Educational Opportunities Act of 1974 implies that the entitlement to special language assistance is individual and does not require a showing that large numbers of LESA students are involved: "No state shall deny equal educational opportunity to an individual on account

> of his or her...national origin by...the failure by an educational agency, to take appropriate action to overcome language barriers." (1978, p. 122).

Roos submits the following conclusion:

> In sum, while a certain number of children of one age and language group in reasonable geographic proximity may be necessary to make the requirement of full bilingual instruction practical, legal authority, as well as common sense, dictates that the absence of these conditions should not completely free a school district of its obligation to provide special remedial language assistance to individual children (1978, p. 123).

Thus, districts which fail to maintain a critical mass in some or all of their desegregated schools, and who therefore lose state and/or federal bilingual education funding, do not absolve themselves of the responsibility to provide special language instruction to LESA pupils. Such districts may only force themselves to provide for the entire cost of such programs with local funds. Further, if some special instruction is not given (even ESL), then, theoretically speaking, such inaction could violate the spirit of Lau and precipitate legal action against a district. Indeed, access to identical classrooms does not guarantee LESA students equal protection under the law.

Post-desegregation school districts wanting to fulfill their legal responsibility to LESA pupils can create individualized instructional methods for such children. Carter (1979) has described two types of programs. First, "Individualized Learning Plans" (ILP's) provide in-class instruction to LESA students, and thus avoid the stigma that is sometimes attached to being pulled out for remedial assistance. According to Carter, ILP's emphasize ESL, or transitional bilingual techniques, minimal reliance on students' first language, language arts, and early exit into mainstream programs (see Carter, 1979, p. 89).

Classroom teachers trained in ESL could provide needed instruction to

such students in their classrooms (especially in a team-teaching situation). Additional ESL staff would be necessary to provide instruction during part of the day in classrooms not having an ESL-trained teacher or where only a single teacher is involved. ILP programs are useful not only when LESA students are thinly dispersed, but also when there is a lack of money to hire large bilingual education teaching staffs (Carter, 1979).

Second, Carter (1979) has also suggested "Pull Out Programs" (POP's). POP's make use of independent classrooms; they provide intensive instruction and early placement in mainstream classes; and they also have the potential for greater curricular flexibility: Spanish reading and language arts, content areas in Spanish, ESL or transitional bilingual instruction, and content areas in English (Carter, 1979). Although the ESL/transitional approach usually means LESA student involvement only, wider participation is possible if alternate bilingual methods are used. Further, POP classrooms serve children across grade levels simulataneously (usually K-3) and therefore contain learning centers which can meet the needs of children with diverse abilities.

Conclusions and Recommendations

Chicanos and other American minority groups continue to suffer from the negative effects of their lower socioeconomic status. This has led some policy makers to search for ways to equalize educational opportunities in an effort to promote the mobility of minority groups. This has not been an easy task in light of the divergent methods and often conflicting directives of school desegregation and bilingual education.

Rather than try to accommodate both, the courts and school districts have often called for purely desegregationist remedies which have alienated Chicanos and further polarized Chicano-Black relations. Such division has

been highly unfortunate because the two communities share similar socio-economic and political problems and their cooperation is essential if such problems are to be resolved. The ultimate responsibility for these adverse outcomes should not be placed on the NAACP or any organization pushing for desegregation, but on the courts and school districts which have formulated such desegregation plans.

Alternate programs have been suggested by Thomas Carter and others which combine both desegregation and bilingual education and therefore increase the chances that all communities will receive an equal educational opportunity--whether or not a "critical mass" is maintained in a school. Indeed, there is no inherent conflict between school desegregation and bilingual education. Carter is correct that "there are only two things that deter simultaneous implementations: lack of creativity and lack of commitment" (1979, p. 102).

This is not to say that interface plans are simple to carry out. A great deal of planning, resolution of logistical problems, and (sometimes) extra cost must go into the establishment of such programs. However, a legal mandate and social justice requires that additional steps be taken to insure that all communities, including Hispanics, receive equal protection under the law.

The nature of interface remedies adopted by school districts--the types and combinations of programs employed--is bound to vary given the particular characteristics and needs of tri-ethnic or multi-ethnic communities. There is no single model school district which all others should emulate. Carter (1979) has cited districts which have attempted interface plans, but the examination of such programs should only be a starting point in the formulation of a program specifically designed for a given community. The Brown decision predicted that, given the great variation in communities in this country, the remedies would themselves be complex and varied.

A number of recommendations can be posited. First, it is hoped that federal agencies will work harder to clarify and enforce their desegregation and bilingual education guidelines. This would help to correct much of the confusion that exists among policy makers at the local level. Second, a great deal more research is necessary. For example, longitudinal studies should be carried out to examine the short- and long-term effects of purely desegregationist remedies, bilingual education, and interface programs on Hispanics and all participants. Experimental research must continue so that all the approaches discussed in this study can continue to be improved and new methods can be formulated.

And third, the practical uses of survey research in the formation of educational policy at the local level should not be overlooked. Gaining a better understanding of the views and needs of subjects in a tri-ethnic community may yield more workable and likable plans. Doyle (1976) may be correct that social science is of limited utility in judging constitutional validity, but he has concurred that research is helpful in formulating remedies. Surveys may also help school districts create more effective public relations campaigns and programs designed to better prepare all affected subjects prior to desegregation.

Educational reform does not come about easily. Many policy makers may resist the alternate remedies supported here. However, it is hoped that those who support <u>both</u> school desegregation and bilingual education will help to convince the courts, government leaders, and district officials of the importance of such remedies.

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